

(b) the number of villages wherein sanction of free sites in pending inspite of demands ;

(c) the number of villages wherein free sites have not been allotted at present and the compelling reasons therefor ?

SRI M. Y. GHORPADE (Minister for Finance and Housing) —

(a) In 54 villages. Details are furnished in Statement No. I placed on the Table of the House. \*\*

(b) In 83 villages.

(c) Since the suitable Government land and gramathana are not available the cultivable lands available in villages indicated in Statement No. II placed on the Table of the House have to be acquired.\*\*

2-00 P. M.

#### Calling Attention to Matters of Urgent Public Importance :

(i) re : harrasment to the member of the Cooporative forming Society, Belligatta.

SRI H. D. DEVE GOWDA (Holenarasipur).—I call the attention of the Minister for Industries and Parliamentary Affairs to the alleged harrasment caused to the members of Co-operative Farming Society, Belligatta, Kundagol Taluk.

SRI S. M. KRISHNA (Minister for Industries and Parliamentary Affairs).—I Wish to make the following statement :

On the motion, Calling Attention regarding alleged harassment the members of to the Co-operative Farming Society at Belligatta, Taluk Kundagol, District Dharwar, I wish to state that according to the report received by the Government, no harassment has been caused by the management of the Belligatta Co-operative Farming Society.

The Bellighatta Co-operative Tenant Farming Society has been registered in the year 1952 at Bellighatta. This society secured 240 acres and 37 guntas of land from the Desai family of Tadas (a near by village) for cultivation on a lease of 19 years from 1952. At the time of registration of the society, there were 30 members. Subsequently, 70 more members have been enrolled.

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\*\* Copies placed in the Karnataka Legislature Vide No. 49  
Dated 4th April 1975.

After some years, it was noticed that about 61 members left the farm permanently. The affairs of the society were also not being run properly. Government loans were not repaid. It was noticed that some non-members also joined in the cultivation of the lands taken over by the society. As a consequence, the Deputy Registrar of Co-operative Societies, issued orders under Section 72 of the Karnataka Co-operative Societies Act, taking the society under liquidation and appointed the Senior Inspector of Co-operative Farming, Haveri, as Liquidator on 16th November 1970. A group of members and non-members who were cultivating the lands on the date of liquidation have been representing to Deputy Registrar of Co-operative Societies for reviving the Society. The Deputy Registrar of Co-operative Societies has informed them orally that their request would be considered only after the Government dues are repaid. Government loans have been repaid fully only during December, 1974.

It is noticed, however, that there are factions among those cultivating the lands both including members and non-members. One group is opposing revival of the society and has been insisting on the permanent transfer of lands cultivated by them in their individual names, whereas the other group has been asking for revival of society. It is also reported that the land owners viz., Desai family have been supporting the first group and are trying to oppose the revival of the society.

The seriousness of the party factions also appears to have found support in a couple of actions taken by the Liquidator himself.

After the expiry of the period of lease of lands i.e., in 1971, the Liquidator handed over the possession of 317-22 acres of land back to the owners and intimated such handing over to the concerned Revenue authorities, after obtaining legal opinion. There upon, the ex-cultivators tried to take away the produce of the lands and the Desai family objected to such action.

The landlords approached the Court of the Munsiff at Kundagol praying for permanent injunction restraining the defendants from obstructing the possession and enjoyment of the said lands by the land-lords (case No. 76/1972). This case was dismissed by the Munsiff on 26/2/1974 on the main ground that the provisions of Section 25 of the Mysore Land Reforms Act, 1961 are not complied with before lands were surrendered to the land-lords and that the possession of the suit lands by them is not lawful. After this judgement, the Liquidator got back the lands and got his name entered into the records of rights.

Thereafter one group of cultivating members and non-members again started pressing the Liquidator to inform the revenue authorities, to enter their respective names as tenants cultivating the lands so as to take advantage of the Land Reforms Act. Two ladies who were cultivating 53-07 acres of land earlier allotted to their brother,

Sunkappa Kharakatti, who was an ex-member of the society, refused to pay rent in response to the notice in this regard issued by the Liquidator on 27th July 1973. The ladies have approached the Civil Court at Kundagol contending that they have obtained lease from the society with the consent of the owners and that they are paying rent to the owners.

After obtaining legal opinion on 10th August 1974, the Liquidator informed the Revenue authorities to enter the names of 65 cultivator to the extent of 487-30 acres (except 53-07 acres cultivated by the two ladies referred to above). In the case of 53-07 acres, the Liquidator has given a declaration on 28th December 1974 to the Tahsildar in the form prescribed intimating that he is the tenant in respect of these lands.

On account of these tensions, quarrels among the members and non-members belonging to the two groups were quite common. It is reported that on the night of 3rd February 1975, one group of persons assaulted some members of the other group. Complaints and counter complaints were lodged by both the groups with the Police at Kundagol. Consequently, the Police visited the place on 4th February 1975 and have arrested some persons. The situation is now reported to be calm.

**SRI H. D. DEVE GOWDA.**— Once they become the tenants, even according to the normal provisions of the Land Reforms Act they should be entitled to all the benefits. When such is the case, how can they be driven out? That is the main crux of the problem.

**SRI S. M. KRISHNA.**— If they are entitled to certain protection according to the Land Reforms Act, certainly they will get the protection.

**SRI H. D. DEVE GOWDA.**—That is the mistake committed by the Liquidator. At one stage he handed over the land and registered in the name of the original landlord;

**SRI S. M. KRISHNA.**— I would like to draw the attention of the hon. the Leader of the Opposition to the proceedings of the Munsiff's Court at Kundagol. There are so many ramifications of this problem and the Liquidator's actions are also seriously questioned by one set of members, both amongst members as well as non-members.

**SRI H. D. DEVE GOWDA.**—Such cases, which are pending before the Court, can also be decided by the Land Tribunals and the interests of the tenants can be safeguarded according to the Land Reforms Act.

**SRI S. M. KRISHNA.**— If the Land Tribunal can get jurisdiction over such matters, certainly it will be passed on to the Tribunals and the decision of the Tribunal will be binding.